



## OFFICE OF THE POLICE COMMISSIONER

ONE POLICE PLAZA • ROOM 1400

May 5, 2023

Memorandum for: Deputy Commissioner, Trials

Re: **Police Officer Adnan Pasha**  
Tax Registry No. 946654  
Equipment Section  
Disciplinary Case No. 2020-21953

The above named member of the service appeared before Assistant Deputy Commissioner Jeff S. Adler on October 4<sup>th</sup> and 6<sup>th</sup>, 2022 and was charged with the following:

### **DISCIPLINARY CASE NO. 2020-21953**

1. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Police Officer wrongfully engaged in a physical altercation with his wife, [REDACTED], in the presence of their young children, and causing Ms. [REDACTED] to suffer injury.

**P.G. 203-10, Page 1, Paragraph 5**

### **PUBLIC CONTACT - PROHIBITED CONDUCT**

2. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Police Officer impeded or attempted to impede an official Department investigation of an off-duty incident in which he was involved, by making misleading or inaccurate statements to responding 106<sup>th</sup> Precinct Police Officers.

**P.G. 203-10, Page 1, Paragraph 5**

### **PUBLIC CONTACT - PROHIBITED CONDUCT**

3. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, having been involved in an off-duty domestic violence incident with his wife, wrongfully failed to notify the Department immediately or to request the response of the Patrol Supervisor, precinct of occurrence.

**P.G. 212-32, Page 1, Paragraph 1**

### **OFF DUTY INCIDENTS INVOLVING UNIFORMED MEMBERS OF THE SERVICE COMMAND OPERATIONS**

**P.G. 208-37, Page 4, Additional Data**

**FAMILY OFFENSES AND  
DOMESTIC VIOLENCE  
INVOLVING UNIFORMED OR  
CIVILIAN MEMBERS OF THE  
SERVICE ARRESTS**

In a Memorandum dated December 6, 2022, Assistant Deputy Commissioner Jeff S. Adler found Police Officer Adnan Pasha guilty of Specifications Nos. 1 and 3, after he pled guilty to Specification Nos. 1 and 3, and not guilty of Specification No. 2, in Disciplinary Case No. 2020-21953. Having read the Memorandum and analyzed the facts of this matter, I approve of the findings, but disapprove of the penalty.

Having considered the totality of the circumstances and issues concerning the misconduct for which Police Officer Pasha has been found guilty, I deem that separation from the Department is warranted. However, instead of an outright dismissal from the Department, I will permit an alternative manner of separation from the Department for Police Officer Pasha at this time.

In lieu of dismissal, it is directed that an *immediate* post-trial settlement agreement be implemented with Police Officer Pasha in which he shall forfeit thirty (30) suspension days to be served, forfeit all time and leave balances, be placed on (1) year dismissal probation, and immediately file for vested interest retirement.

Such vested interest retirement shall also include Police Officer Pasha's written agreement to not initiate administrative applications or judicial proceedings against the New York City Police Department to seek reinstatement or return to the Department. If Police Officer Pasha does not agree to the terms of this vested interest retirement agreement as noted, this Office is to be notified without delay. This agreement is to be implemented **IMMEDIATELY**.



Keechant L. Sewell  
Police Commissioner



POLICE DEPARTMENT

December 6, 2022

In the Matter of the Charges and Specifications : Case No.  
- against - : 2020-21953  
Police Officer Adnan Pasha :  
Tax Registry No. 946654 :  
Equipment Section :

At: Police Headquarters  
One Police Plaza  
New York, NY 10038

Before: Honorable Jeff S. Adler  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: David Green, Esq.  
Department Advocate's Office  
One Police Plaza, Room 402  
New York, NY 10038

For the Respondent: Craig Hayes, Esq.  
Worth, Longworth and London, LLP  
111 John Street, Suite 640  
New York, NY 10038

To:

HONORABLE KEECHANT L. SEWELL  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

## CHARGES AND SPECIFICATIONS

1. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Police Officer wrongfully engaged in a physical altercation with his wife, [REDACTED] in the presence of their young children, and causing Ms. [REDACTED] to suffer injury.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT

2. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Police Officer impeded or attempted to impede an official Department investigation of an off-duty incident in which he was involved, by making misleading or inaccurate statements to responding 106th Precinct Police Officers.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT –  
PROHIBITED CONDUCT

3. Police Officer Adnan Pasha, while assigned to Transit District 20, on or about April 8, 2020, while off-duty and at his residence in [REDACTED] County, New York, having been involved in an off-duty domestic violence incident with his wife, wrongfully failed to notify the Department immediately or to request the response of the Patrol Supervisor, precinct of occurrence.

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DOMESTIC VIOLENCE  
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OR CIVILIAN MEMBERS  
OF THE SERVICE  
ARRESTS

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on October 4 and 6, 2022. Respondent, through his counsel, entered a plea of Not Guilty. The Department called Sergeants John Corde and Carlos Figueroa, as well as Police Officers Brian Sherlock and Bridgette Nolan as witnesses, and introduced into evidence multiple hearsay statements of the complainant, Body-Worn Camera ("BWC") footage, and surveillance footage from a neighboring home. Respondent testified on his own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having evaluated all of the evidence in this matter, I find as follows:

Specification 1 (physical altercation): Guilty

Specification 2 (impeding investigation): Not Guilty

Specification 3 (fail to notify): Guilty

Recommended penalty: Termination from the Department.

## ANALYSIS

This case involves allegations of a domestic violence incident between Respondent and his wife at their [REDACTED] home on April 8, 2020. That afternoon, they had a verbal dispute inside their home. The dispute carried outside to the backyard, some of which was captured by a neighbor's video camera. The parties provided different accounts as to what transpired: the wife stated that Respondent physically grabbed and dragged her and threatened her with a knife, while Respondent claimed that he merely chased his wife outside to stop her from running into traffic and harming herself.

Respondent's wife did not appear to testify. Instead, the Department Advocate offered into evidence a text message exchange between the wife and her sister, recordings of three 911

calls (two made by the wife, one by a neighbor), testimony and BWC footage from police officers who spoke with the wife at the scene, a recorded statement that Respondent's wife provided to investigators when she was interviewed after the incident, and a DIR prepared by a sergeant. It is well-settled that hearsay evidence is admissible in administrative proceedings, and may form the sole basis for a finding of fact. The hearsay, however, must be carefully evaluated to determine whether it is sufficiently reliable. It is preferable to have testimony from live witnesses, where opposing counsel has the opportunity to cross examine, and the court can observe the witnesses' demeanors. In the absence of live testimony from the wife here, this tribunal carefully considered her multiple prior statements in conjunction with the other evidence presented.

Immediately after the incident, the wife, from her bedroom, texted her sister about what happened (Dept. Ex. 10). She stated to her sister that she and her husband had argued about the internet bill. He dragged her by her hair and he had a big knife. The kids started crying, and now she was inside pretending to be fine, but was scared. Her sister encouraged her to call the police.

While she was still inside her bedroom, the wife called 911 (Dept. Exs. 1 & 1A). In a lowered voice so as not to be heard by Respondent, she informed the operator that Respondent had dragged her outside and threatened her with a knife. According to the wife, Respondent had grabbed her and pulled her hair, leaving marks on her chest. The wife repeatedly stated that she was "really scared," and intended to leave the house.

After she fled from the house, the wife called 911 a second time (Dept. Exs. 2 & 2A). In that call, she reiterated that Respondent had dragged her and threatened her with a big knife,

causing her to sustain scratches. She also said that she had "peed in her pants." The wife stated that she was hiding behind a parked car at her neighbor's house.

A neighbor also called 911, reporting that the wife was hiding in front of his house. According to the caller, the wife was saying that her husband had chased her with a knife. (Dept. Exs. 3 & 3A)

Police Officer Brian Sherlock testified that he and his partner, Detective Stuart Wallace, located the wife as she was hiding in the driveway of the neighbor's house. Sherlock described the wife as upset and crying, nervous and tense, and afraid to talk. The wife informed them that she had an altercation with her husband, and that a knife was involved. She showed them scratches on her chest, but refused medical attention. (Tr. 33-34, 36-37)

Detective Wallace recorded their interaction with the wife outside the neighbor's house with his BWC (Dept. Exs. 4A & 4B). In that footage, the visibly frightened wife told the officers what occurred, then repeated it again when supervisors arrived. She stated that Respondent was upset with her because the internet bill was too high. When the wife responded that it was not a big deal, Respondent stated that he never listens to what she has to say. The wife answered that her father says the same thing to her mother, and she does not like this lack of respect. This angered Respondent, who ran to the kitchen and grabbed a kitchen knife. The wife fled outside, but Respondent pursued her to the backyard, where he grabbed and dragged her by her hair, pointed the knife at her, and brought her to the ground. Their two children, ages 11 and 7, came outside as well, and were crying. The wife asked for his forgiveness, Respondent relented, and she returned inside. She showed the officers the scratches on her chest, though she was unsure as to the precise point of the altercation when that happened; she stated that she did not need an ambulance. The wife also informed the officers that the previous year, she had gone to Pakistan

with the children, and that Respondent had obtained a court order requiring her to return, which she did approximately two months before this incident.

Sergeant John Corde testified that he was one of the MOS who responded to the scene and spoke with the wife. He took several photographs (Dept. Ex. 9), which show the wife's scratch marks and the knife that Respondent used to threaten her. Corde also prepared a Domestic Incident Report ("DIR"), which included a statement written and signed by the wife under penalty of perjury. (Tr. 60, 67-68)

A copy of the DIR was introduced into evidence (Dept. Ex. 11). In that report, the wife wrote that she and her husband argued. He took a knife from the kitchen, and ran after her outside. He grabbed and pulled her by her hair, and pointed the knife at her. The kids were crying, and he let go of her. She went back inside and called the police, before running out of the house for safety.

Sergeant Corde also used his phone to make a copy of video footage taken from a neighbor's camera (Dept. Ex. 6). In that footage, the wife can be seen running from the rear of the house. She backs against the driveway fence as Respondent approaches. Respondent grabs the wife and moves her back toward the rear of the house, as the two children try to intervene. At about the .24 mark, one of the children is shoved to the ground by Respondent, who appears to have an object in his right hand; it is unclear from the video what that object is.

Sergeant Carlos Figueroa of the Transit Bureau Investigations Unit, testified that after he was assigned to this matter he spoke by phone with the wife on May 12, 2020. In the recording of that interview (Dept. Exs. 7 & 7A), the wife provided essentially the same account of what transpired with Respondent on April 8. She again detailed how Respondent chased her outside with a knife, grabbed her by her hair and shook her, and pointed the knife at her neck. Her son

unsuccessfully tried to grab the knife away from him. The children were crying, and the wife urinated in her pants. She pleaded for forgiveness until Respondent relented, and they all went back inside the house.

Police Officer Bridgette Nolan testified that when she arrived on the scene, she asked Respondent to step out of the backyard; Nolan's interactions with Respondent were captured on her BWC (Dept. Exs. 5A & 5B). She asked him if he knew whether the upstairs tenants were home; Respondent answered that he did not know. Nolan then asked if he had heard any arguing or anything; Respondent shook his head and answered no. (Tr. 48-49; Dept. Ex. 5B at 3-4)

Nolan went inside the house and spoke with the daughter, who stated that her parents had been arguing and fighting. Nolan exited the house and returned to Respondent, asking him if he and his wife had been arguing today. Respondent answered, "She did a little arguing, and I was planting outside, and then she was with the kids inside." Nolan did not ask any follow-up questions about the argument, and Respondent provided no further details. (Tr. 52-53; Dept. Ex. 5B at 8-9)

Respondent testified that he and his wife are separated, and currently involved in divorce proceedings. At the time of the incident, their marriage already was "not great." They quarreled over financial issues, and in June 2019 his wife took their kids to Pakistan with the hope of providing them a better life; Respondent petitioned family court and obtained an order forcing their return in March 2020. (Tr. 90, 93-95)

On the day of the incident, Respondent was on the phone with the cable company because the bill was high. Respondent testified that his wife started screaming at him that he was always concerned about money, and he should just pay the bill. She threatened that she was going to run into oncoming traffic, and ran out the door. According to Respondent, he pursued

his wife in order to prevent her from harming herself; she never had threatened to hurt herself in the past. He grabbed a hold of her, she resisted, and they tussled. This occurred in the presence of their children, who were screaming and crying and trying to pull him off of their mother. Respondent insisted he did not possess or threaten her with a knife, though he acknowledged that the video footage shows a long, slender object in his hand; Respondent could not recall what that object was. (Tr. 96-98, 115-17, 122-23)

Respondent testified that once his wife calmed down, she told him that she would go inside and feed their kids, while he did garden work outside. Officer Nolan arrived and questioned him as to whether he heard any arguing; Respondent answered no because he thought she was asking about the tenants or neighbors. When the officer followed up with him a few minutes later, he stated that his wife had a little argument, since she was the only one screaming about the cable bill while he was on the phone. The officers did not ask any additional questions about the dispute with his wife. [REDACTED]

[REDACTED] In connection with the family court proceeding, Respondent consented to a finding of neglect, and he completed a parenting skills class because he wants his children to remain in his life. (Tr. 99-107, 113-14)

Specification 1 charges Respondent with wrongfully engaging in a physical altercation with his wife in the presence of their children, during which his wife sustained an injury. Specifically, it is alleged that Respondent chased his wife with a knife, dragged and shook her by her hair, and pointed the knife at her throat, all in the presence of their two young children, and that the wife sustained scratches to her chest as a result of the incident.

On the one hand, this Tribunal is mindful that the wife did not appear to testify. As such, counsel for Respondent did not have the opportunity to cross examine her about the details of the

incident. He also was unable to question the wife about how she left the country with the children a year prior to the incident, and only returned when ordered by a court to do so.

However, the credibility of the wife's account was enhanced by the fact that she promptly and consistently related her allegations multiple times, first to her sister, and then to different law enforcement personnel. Immediately after the incident, she texted her sister that Respondent had threatened her with a knife. She twice called 911 to report what had occurred, and repeated the details of the incident to multiple police officers, at the scene, in the precinct, and during a subsequent interview. Each of the members of service who testified about their interviews and interactions with the complainant were detailed and consistent in their testimony, and I credit their accounts. Throughout multiple tellings, the wife's description of what transpired remained logical and essentially consistent, and I credit the accuracy of her statements.

Respondent's story, in contrast, was implausible and unworthy of belief. Respondent claimed that in response to his call to the cable company, his wife was so distraught that she fled the home with the intention of running into traffic, and that Respondent only pursued her to prevent her from harming herself. However, the video footage, which shows the wife running from the house and backing against the fence, does not support Respondent's claim that her intention was to rush out into oncoming traffic; instead, it reinforces the conclusion that the wife's goal was simply to protect herself from Respondent, who can be seen chasing after her with an object in his hand.

Moreover, the wife's behavior after the incident was not consistent with someone who was looking to harm herself. Rather, she clearly was in fear that *Respondent was going to hurt her*. That fear was evident in her 911 calls, her decision to flee the house and hide in a driveway,

and in her interactions with the responding police officers. Indeed, the wife was so frightened she urinated in her pants.

The credible evidence has established that Respondent wrongfully engaged in a physical altercation during which he caused injury to his wife, in the presence of their young children. Accordingly, I find Respondent guilty of Specification 1.

The remaining two allegations deal with Respondent's failure to notify the Department that he was involved in an unusual occurrence, including during his interaction with the officers who responded to the incident. Specification 2 charges Respondent with impeding or attempting to impede an official Department investigation by making misleading or inaccurate statements to the responding officers, while Specification 3 alleges that Respondent failed to notify the Department, or request the response of the Patrol Supervisor, regarding his involvement in an off-duty domestic violence incident. Section 208-37 of the Patrol Guide states that an off-duty MOS present at an unusual police occurrence, including family disputes and other incidents of domestic violence, in which the officer is either a participant or a witness, must request the response of a patrol supervisor.

It is undisputed that Respondent did not make any notifications nor request a patrol supervisor following the domestic incident with his wife. Moreover, when police officers did arrive at the scene, Respondent still did not immediately notify them that he had just been involved in an altercation. Only after being questioned at the scene did Respondent inform the officers that there had been an argument, though he minimized what occurred by stating only that his wife had done a little arguing.<sup>1</sup>

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<sup>1</sup> A few minutes prior to that exchange, Respondent had been asked by Officer Nolan whether he had heard any arguing, and he answered that he had not. However, that question was somewhat ambiguous, since, from the preceding questions, it sounded as if the officer was asking Respondent about the tenants.

It is important for an off-duty MOS involved in an unusual occurrence to make the proper notifications, which facilitates the ability of the Department to conduct a preliminary investigation into the matter. Based on his failure to do so here, I find Respondent guilty of Specification 3.

However, I am not persuaded that under these circumstances, Respondent committed misconduct by impeding, or attempting to impede, an official Department investigation. This was not a situation where Respondent was formally questioned at an official Department interview, and provided misleading or inaccurate statements after receiving clear warnings as to the implications of his responses. Rather, this was a brief exchange at the scene, where Respondent was asked only if he and his wife had been arguing. Respondent did acknowledge that there had been some arguing, though he downplayed his role in that argument. Notably, after Respondent confirmed to the officers at the scene that arguing had occurred, there were no follow-up questions; the officers did not ask Respondent to elaborate on the nature of the argument, his role in it, or any other details such as whether physical violence was involved.

To be sure, it is troubling that Respondent did not immediately request a supervisor or notify the responding officers of this incident. But as discussed above, that failure is more appropriately captured by Specification 3. Based on these specific facts, the record has not established, by a preponderance of the credible evidence, that Respondent impeded, or attempted to impede, an official Department investigation. Accordingly, I find Respondent not guilty of Specification 2.

## PENALTY

In order to determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines, considered all relevant facts and circumstances,

including potential aggravating and mitigating factors established in the record. Respondent's employment history also was examined. *See 38 RCNY § 15-07.* Information from his personnel record that was considered in making this penalty recommendation is contained in an attached memorandum.

Respondent, who was appointed to the Department on July 8, 2008, has been found guilty of wrongfully engaging in a physical altercation with his wife, and failing to notify the Department that he had been involved in an off-duty domestic violence incident. The Department Advocate has recommended that Respondent's be terminated from the Department, while counsel for Respondent argues for a lesser penalty.

The presumptive penalty for a physical act of domestic violence under the Disciplinary Guidelines is 30 suspension days, dismissal probation, and counseling. However, Respondent's conduct on April 8, 2020 was so egregious that the aggravated penalty of termination is warranted here. What started as a verbal argument escalated into a dangerous physical altercation: after the wife verbalized her displeasure at being silenced by him, Respondent grabbed a kitchen knife and moved toward his wife, who fled outside. Respondent pursued her with the knife, grabbed her by her hair, and dragged and shook her, causing injury. With their two young children standing there, Respondent pointed the knife at his wife's throat. Respondent's actions were so serious that their son attempted to protect his mother by trying to grab the knife from Respondent's hand. Additionally, Respondent can be seen on video shoving one of the children to the ground.

Only after the wife asked for his forgiveness did Respondent relent and allow her to return inside. She was so terrified that she urinated in her pants. Once inside, she lowered her voice to call 911, then fled the house and hid in a neighbor's driveway. The wife's fear of

Respondent was visibly apparent on the video footage, even after she was safely with the police officers in front of the neighbor's house.

Respondent compounded his misconduct by failing to request the response of a supervisor to the location. Even after police officers arrived, he initially chose not to alert them that there had been an incident, and when questioned minimized what had occurred. On the witness stand, not only did Respondent show no remorse for his actions, he concocted an incredible story that he was merely trying to prevent his wife from running into oncoming traffic.

Police officers are entrusted with the responsibility of protecting the public. Members of the service are required to maintain the standards established by the Department for their conduct whether on or off duty. A UMOS carries with him, at all times, the responsibility for the safety of the community. Respondent's dangerously violent conduct here, in response to a mere verbal challenge from his wife, was completely contrary to that obligation. With his actions, Respondent demonstrated that he cannot reliably be trusted to control his behavior in a way that is expected of a member of this Department. Taking into account the totality of the facts and circumstances in this matter, I recommend that Respondent be DISMISSED from the New York City Police Department.

Respectfully submitted,



Jeff S. Adler  
Assistant Deputy Commissioner Trials





POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials  
To: Police Commissioner  
Subject: SUMMARY OF EMPLOYMENT RECORD  
POLICE OFFICER ADNAN PASHA  
TAX REGISTRY NO. 946654  
DISCIPLINARY CASE NO. 2020-21953

Respondent was appointed to the Department on July 8, 2008. On his three most recent annual performance evaluations, he was rated “Exceeds Expectations” in 2019 and 2021, and “Meets Standards” in 2020.

Respondent has no prior disciplinary history. Respondent was placed on Level 2 Disciplinary Monitoring on July 21, 2020; this monitoring is ongoing.

For your consideration,

A handwritten signature in blue ink, appearing to read "Jeff S. Adler".

Jeff S. Adler  
Assistant Deputy Commissioner Trials